



Docket No.: TOYA140.001APC

January 15, 2007

Page 1 of 1

Please Direct All Correspondence to Customer Number 20995

### NOTICE OF APPEAL

FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Kaji, et al.  
App. No : 10/508,980  
Filed : September 24, 2004  
For : REMEDY FOR MUSCLE  
HYPERACTIVITY  
Examiner : Kosson, Rosanne  
Art Unit : 1653

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 16, 2007

(Date)

*Che S. Chereskin*  
Che Swyden Chereskin, Ph.D., Reg. No. 41,466

#### Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated July 14, 2006 finally rejecting Claims 8-16.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Notice of Appeal	41.20(b)(1)	1401 (\$500)		\$500
3 Month Extension	1.17(a)(3)	1253 (\$1,020)		\$1,020
			<b>TOTAL FEE DUE</b>	<b>\$1,520</b>

(X) An extension of time is hereby requested by payment of the appropriate fee indicated above.

(X) A check in the amount of \$1,520 is enclosed.

(X) Return prepaid postcard.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Dated: January 16, 2007

01/23/2007 RHEBRAHT 00000032 10508980

01 FC:1401  
02 FC:1253

500.00 OP  
1020.00 OP

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Agent of Record

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